

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ACHATES REFERENCE PUBLISHING, §
INC. §

Plaintiff, §

vs. §

Case No. 2:09-CV-355 (TJW)

BMC Software, Inc., Borland Software §

Corporation, Citrix Systems, Inc., The §

MathWorks, Inc., Dassault Systèmes §

SolidWorks Corp., MindJet, LLC, McAfee §

Corporation, Bentley Systems, Inc., and §

Intuit Inc. §

Defendants. §

JURY TRIAL DEMANDED

STIPULATION OF DISMISSAL AS TO CITRIX SYSTEMS, INC.

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff Achates Reference Publishing, Inc. (“Achates”) and Defendant Citrix Systems, Inc. (“Citrix”) file this Stipulation of Dismissal and would show the Court as follows:

Pursuant to an agreement between the parties, the first amended complaint filed in this action against Citrix Systems, Inc. (“Citrix”) by Achates Reference Publishing, Inc. (“Achates”) shall be and is hereby dismissed with prejudice. Each party hereto shall bear its own costs and fees of suit.

Dated: July 27, 2010.

Respectfully submitted,

/s/ David Healey (with permission by Robert
Christopher Bunt)

DAVID HEALEY

State Bar No. 09327980

FISH & RICHARDSON PC

1221 McKinney Street, Ste. 2800

Houston, Texas 77010

713/654-5300

713/652-0109 – facsimile

healey@fr.com

*Attorneys for Defendant,
Citrix Systems, Inc.*

/s/ Robert Christopher Bunt

Robert Christopher Bunt

State Bar No. 00787165

Charles Ainsworth

State Bar No. 00783521

PARKER, BUNT & AINSWORTH, P.C.

100 E. Ferguson, Suite 1114

Tyler, TX 75702

Telephone: 903/531-3535

Facsimile: 903/533-9687

E-mail: rcbunt@pbatyler.com

E-mail: charley@pbatyler.com

S. Calvin Capshaw

State Bar No. 03783900

Email: ccapshaw@capshawlaw.com

Elizabeth L. DeRieux

State Bar No. 05770585

Email: ederieux@capshawlaw.com

D. Jeffrey Rambin

State Bar No. 00791478

Email: jrambin@capshawlaw.com

Capshaw DeRieux, LLP

1127 Judson Road, Suite 220

PO Box 3999 (75601)

Longview, Texas 75606

Telephone: 903/236-9800

Facsimile: 903/236-8787

Of Counsel:

Vincent E. McGearry

New Jersey State Bar No. 041681991

GIBBONS P.C.

One Gateway Center

Newark, NJ 07102-5310

Telephone: 973/596-4837

Facsimile: 973/639-6477

Email: vmgeary@gibbonslaw.com

Michael Cukor

New York State Bar No. 3935889

GIBBONS P.C.

One Pennsylvania Plaza, 37th Floor
New York, New York 10119-3701
Telephone: 212/613-2013
Facsimile: 212/554-9658
Email: mcukor@gibbonslaw.com

*Attorneys for Plaintiff,
Achates Reference Publishing, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that the following counsel of record, who are deemed to have consented to electronic service are being served this 27th day of July, 2010, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Robert Christopher Bunt
ROBERT CHRISTOPHER BUNT